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In the United States Patent and Trademark Office

First Named Inventor: Jaspreet Singh et al. Docket No. 15275
Application No.: 09/814,402 Group: 3761
Filed: March 22, 2001 Examiner: J. F. Stephens
Title: HIGH SUPERABSORBENT CONTENT WEBS AND A METHOD FOR MAKING THEM
Date: May 31, 2005

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (703) 872-9306

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☐ Small entity-fee \$_____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Other than small entity - fee \$1,500.00 (37 CFR 1.17(m)). The Commissioner is hereby authorized to charge the fee under 37 CFR 1.17(m) to Deposit Account No. 11-0875. No additional fees are believed due; however, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 11-0875.

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action in the form of a Request of Continued Examination and an Amendment After Final Rejection Under 37 C.F.R. § 1.116:

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- ☐ has been filed previously on _____.
☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____.

- ☐ has been paid previously on _____.
☐ is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$130.00 for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63). The Commissioner is hereby authorized to charge the disclaimer fee to Deposit Account 11-0875.

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

A Final Rejection was mailed to Applicants on February 25, 2003. A Response, including an Amendment under 37 C.F.R. § 1.116, was subsequently filed with the U.S.P.T.O. on April 14, 2003. On October 21, 2003, a Notice of Abandonment was mailed to Applicants by Examiner Jacqueline F. Stephens for failure to timely file a proper reply to the Office letter mailed on February 25, 2003.

On December 1, 2003, Examiner John Calvert informed Applicants by telephone that said Response had been located at the U.S.P.T.O., and that the Abandonment would therefore be withdrawn. However, a Supplemental Notice of Abandonment was mailed to Applicants on December 12, 2003 by Examiner Stephens, stating that while said Response was, in fact, received on April 14, 2003, it did not constitute a proper reply under 37 C.F.R. § 1.113(a) to the final rejection.

On April 20, 2004, Applicants filed a Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 C.F.R. § 1.137(b), along with an Amendment after Final Rejection Under 37 C.F.R. § 1.116 to place the claims in condition for allowance. However, Applicants inadvertently submitted an incorrect fee for said Petition, thus preventing the U.S.P.T.O. from reviving the application and examining the Amendment. On December 8, 2004, Applicants were informed of such deficiency by Petitions Attorney Edward J. Tannouse.

On January 27, 2005, Applicants re-submitted the Petition for Revival (including the correct petition fee) and the Amendment after Final Rejection Under 37 C.F.R. § 1.116 to place the claims in condition for allowance. As of February 10, 2005, said Petition and said Amendment had not yet been logged in as being received by the Office of Petitions, so Applicants re-faxed these documents, along with the fax receipts from January 27, 2005.

On March 29, 2005, the Office of Petitions mailed Applicants a decision on the Petition for Revival, stating that the petition was dismissed for failure to timely file a reply within the meaning of 37 C.F.R. § 1.113.

Applicants apologize for this oversight, and are now respectfully submitting a new Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 C.F.R. § 1.137(b) with a new fee, a Request for Continued Examination, and an Amendment Under 37 C.F.R. § 1.116 in response to the Office Action mailed February 25, 2003.

If the Petitions Attorney feels that any issues remain, then Applicants' undersigned attorney would appreciate the opportunity to discuss the case with the Petitions Attorney.

The undersigned may be reached at: (920) 721-4405.

Respectfully submitted,
JASPREE SINGH ET AL.

By:



Bryan R. Rosiejka

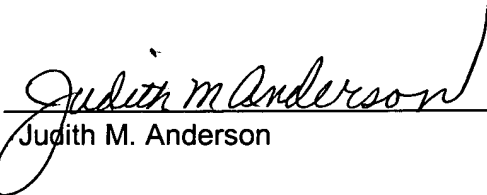
Registration No.: 55,583

Attorney for Applicant(s)

CERTIFICATE OF MAILING

I, Judith M. Anderson, hereby certify that on May 31, 2005 this document is being deposited with the United States Postal Service as first-class mail, postage prepaid, in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By:



Judith M. Anderson